

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DONNA KAYLOR; and MATTHEW KAYLOR)	
)	
)	No. 3-12-0856
v.)	
)	
WAL-MART STORES INC. a/k/a)	
Wal-Mart Stores East, Inc.)	

ORDER

By contemporaneously entered order, the Court has approved and entered the parties' proposed initial case management order, with insertions and modifications addressed at the initial case management conference held on November 14, 2012. Those insertions, modifications, and other matters addressed on November 14, 2012, are as follows:

1. Plaintiff's counsel agreed that the proper defendant is Wal-Mart Stores East, L.P. Therefore, the Clerk is directed to terminate Wal-Mart Stores Inc. a/k/a Wal-Mart Stores East, Inc. as the defendant in this case and to substitute therefor Wal-Mart Stores East, L.P.
2. All fact discovery shall be completed by July 1, 2013. That means that all written discovery shall be served in sufficient time so that responses will be served by July 1, 2013.
3. Any discovery motion relating to fact discovery shall be filed by August 1, 2013. Alternatively, counsel shall, by August 1, 2013, schedule a telephone conference call with the Magistrate Judge to address any discovery issue or dispute.
4. Any motions to amend the pleadings shall be filed by August 1, 2013.
5. The plaintiff shall have until July 1, 2013, to serve expert disclosures in accord with Rule 26(a)(2)(B)-(C) of the Federal Rules of Civil Procedure.
6. The defendant shall have until August 15, 2013, to serve Rule 26(a)(2)(B)-(C) expert disclosures.
7. Any rebuttal expert disclosures shall be served by September 13, 2013.
8. All depositions of experts shall be completed by November 1, 2013.

9. The parties shall file a joint mediation report by November 29, 2013, indicating whether or not they have engaged in settlement discussions, whether they believe that there is potential for settlement, and, if so, whether they believe that they will be able to resolve the case themselves or whether they believe that ADR would be necessary or productive, and, if so, what form of ADR, with whom, and when they want to participate in ADR.

10. Any dispositive motion shall be filed by December 31, 2013. Any response shall be filed within 21 days of the filing of the motion, or by January 21, 2014, if the motion is filed on December 31, 2013. Any reply, if necessary, shall be filed within 14 days of the filing of the response or by February 4, 2014, if the response is filed on January 21, 2014.

No other filings in support of or in opposition to any dispositive motion shall be made after February 4, 2014, except with the express permission of the Honorable Kevin H. Sharp.

Memoranda in support of or in opposition to any dispositive motion shall not exceed twenty (20) pages.


There shall be no stay of discovery before the July 1, 2013, deadline for completion of fact discovery or the November 1, 2013, deadline for completion of expert discovery even if a dispositive motion is filed prior thereto.

In consultation with Judge Sharp's office, a jury trial is scheduled on **Tuesday, May 13, 2014, at 9:00 a.m.**, in Courtroom A-826, U.S. Courthouse, 801 Broadway, Nashville, TN. The parties estimate that the trial will last three (3) days.

A pretrial conference is also scheduled before Judge Sharp on **Monday, April 21, 2014, at 1:30 p.m.**, in Courtroom A-826.

The parties' obligations prior to the pretrial conference will be set forth by order entered closer to the trial date.

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge